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Resolution adopted by the Human Rights Council on 27 September 2018

39/4. Promotion of a democratic and equitable international order

The Human Rights Council,

Recalling all previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the promotion of a democratic and equitable international order, in particular Assembly resolution 65/223 of 21 December 2010 and Council resolutions 8/5 of 18 June 2008, 18/6 of 29 September 2011, 21/9 of 27 September 2012, 25/15 of 27 March 2014, 27/9 of 25 September 2014, 30/29 of 2 October 2015, 33/3 of 29 September 2016 and 36/4 of 28 September 2017,

Recalling also Human Rights Council resolutions 5/1, on the institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law,

Affirming that the enhancement of international cooperation for the promotion and the protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and of international law as set forth in Articles 1 and 2 of the Charter and with, inter alia, full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law

can be maintained, to promote social progress and better standards of life in larger freedom, to practice tolerance and good neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues and threats to international peace and security must be shared among the nations of the world and should be exercised multilaterally and that, in this regard, the central role must be played by the United Nations as the most universal and representative organization in the world,

Concerned about the continued abuse by Member States of the extraterritorial application of their national legislation in a manner that affects the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the full enjoyment of human rights,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and the protection of human rights should be based on the principle of cooperation and genuine dialogue and be aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Affirming that the right of every State to take part in the conduct of international affairs is essential to the realization of an international order that is democratic and equitable,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, the inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Stressing the need for adequate financing of and technology transfer to developing countries, in particular landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Reaffirms* that everyone is entitled to a democratic and equitable international order;

2. *Also reaffirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal adherence to and implementation of the rule of law at both the national and international levels;

4. *Reaffirms* the Universal Declaration of Human Rights, in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, and the right to choose representatives freely through periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures;

5. *Calls upon* all Member States to fulfil their commitment expressed during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity;

6. *Reaffirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and pursue freely their economic, social and cultural development, in accordance with the Charter of the United Nations and relevant resolutions of the United Nations;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in international economic, commercial and financial relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development, and threats to international peace and security, that should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, and of respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

9. *Reaffirms*, among other principles, the principles of sovereign equality of States, of non-intervention and of non-interference in internal affairs;

10. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity and mutual understanding, and the promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

11. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security, and to that end should do their utmost to achieve general and complete disarmament under effective international control and to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of developing countries;

12. *Underlines* that attempts to overthrow legitimate Governments by force disrupt the democratic and constitutional order, the legitimate exercise of power and the full enjoyment of human rights;

13. *Reaffirms* the need to continue to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, in order to correct inequalities and redress existing injustices, to make it possible to eliminate the widening gap between developed and developing countries and to ensure steadily accelerating economic and social development and peace and justice for present and future generations;

14. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

15. *Affirms* that a democratic and equitable international order, as prescribed in the Charter, cannot be achieved through the deregulation of trade, markets and financial services;

16. *Takes note* of the reports of the Independent Expert on the promotion of a democratic and equitable international order;[1]

17. *Invites* the Independent Expert to continue his research into the impact of financial and economic policies pursued by international organizations and other institutions on a democratic and equitable international order, in particular those of the World Bank and the International Monetary Fund;

18. *Calls upon* all Governments to cooperate with and assist the Independent Expert in the discharge of his mandate, and to provide him with all the necessary information requested by him in order to enable him to fulfil his duties effectively;

19. *Requests* the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the effective fulfilment of the mandate by the Independent Expert;

20. *Requests* the Independent Expert to submit to the Human Rights Council, at its forty-second session, a report on the implementation of the present resolution;

21. *Invites* the Independent Expert to continue to develop close cooperation with academia, think tanks and research institutes, such as the South Centre, and with other stakeholders from all regions;

22. *Requests* the human rights treaty bodies, the Office of the High Commissioner, the special mechanisms of the Human Rights Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions to its implementation;

23. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

24. *Requests* the Office of the High Commissioner to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

25. *Decides* to continue consideration of this matter under the same agenda item at its forty-second session.

39th meeting
27 September 2018

[Adopted by a recorded vote of 28 to 14, with 5 abstentions. The voting was as follows:

In favour:

Angola, Burundi, China, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, Iraq, Kenya, Kyrgyzstan, Mongolia, Nepal, Nigeria, Pakistan, Panama, Philippines, Qatar, Rwanda, Saudi Arabia,

[1] A/HRC/39/47 and Add.1.

Senegal, South Africa, Togo, Tunisia, Ukraine,[2] United Arab Emirates, Venezuela (Bolivarian Republic of)

Against:

Australia, Belgium, Croatia, Georgia, Germany, Hungary, Iceland, Japan, Republic of Korea, Slovakia, Slovenia, Spain, Switzerland, United Kingdom of Great Britain and Northern Ireland

Abstaining:

Afghanistan, Brazil, Chile, Mexico, Peru]

[2] The representative of Ukraine subsequently stated that there had been an error in the delegation's vote and that it had intended to vote against.